IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

R/CRIMINAL MISC.APPLICATION NO. 19749 of 2020

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CHIRAG BIPINCHANDRA SHAH
&
MANALI CHIRAGBHAI SHAH …APPLICANTS

Versus

STATE OF GUJARAT &
ASSISTANT COMMISSION OF POLICE,
PUNE …RESPONDENTS

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Appearance:
MR SALIM M SAIYED, ADVOCATE for the Applicants
MR J K SHAH, APP for the Respondent STATE OF GUJARAT

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CORAM:**HONOURABLE MR. JUSTICE PARESH UPADHYAY**

Date : 23/12/2020

ORAL ORDER

1. This is an application for transit anticipatory bail.

2. The applicants apprehend their arrest pursuant to the summons dated 01.12.2020 issued by the Assistant Commissioner of Police, Economic and Cyber Offence Wing, Pune City in connection with an inquiry for the alleged offences punishable under Sections 109, 110, 120B, 406, 417, 420, 467, 468 and 471 of the Indian Penal Code. (Reference - Application No.108 of 2019)

3. Rule. Learned Additional Public Prosecutor waives service of notice of Rule on behalf of the respondent State of Gujarat.

4. Mr.Sayied, learned advocate for the applicants has taken this Court through the material on record. It is submitted that the applicants shall approach the Competent Court and some reasonable time be granted by this Court with appropriate protection.

5. Learned APP for the State of Gujarat has submitted that so far the present applicants are concerned, the State of Gujarat may have little less role to address the Court and appropriate order be passed.

6. Having heard learned advocate for the applicants and having considered the material on record and with a view to see that, an application for anticipatory bail by the applicants before the competent Court having jurisdiction does not become infructuous, the applicants need to be protected for reasonable time.

7. For the above reasons, the following order is passed.

7.1 This application is allowed.

7.2 It is ordered that, the applicants shall not be arrested in connection with the summons dated 01.12.2020 issued by the Assistant Commissioner of Police, Economic and Cyber Offence Wing, Pune City in connection with an inquiry for the alleged offences punishable under Sections 109, 110, 120B, 406, 417, 420, 467, 468 and 471 of the Indian Penal Code. (Reference - Application No.108 of 2019), till 22.01.2021 or appropriate order is passed by the Competent Court, whichever is earlier.

7.3 Needless to observe that, in the event the applicant(s) do not approach the competent Court qua the offence in question on or before 22.01.2021, or in the event no order is passed by that time by the Competent Court, the protection granted by this Court vide this order shall stand vacated on 23.01.2021.

7.4 Rule is made absolute to the above extent.

(PARESH UPADHYAY, J)

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